

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS

Eastern Division

In Re:

Frank Garcia, Jr and Kathy H Garcia

BK No.: 22-04843

Chapter: 13

Honorable Jacqueline P Cox

Debtor(s)

AMENDED AGREED ORDER RESOLVING MOTION TO DISMISS CASE AND FOR ORDER BARRING DEBTORS FROM REFILE FOR 180 DAYS, OBJECTION TO MOTION TO EXTEND AUTOMATIC STAY, AND OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN AS TO 226 WHITEWOOD DRIVE, STREAMWOOD, IL 60107 Filed by Jon J Lieberman on behalf of U.S. Bank Trust National Association as Trustee of the Tiki Series III Trust.

This cause coming to be heard on the Motion of U.S. Bank Trust National Association as Trustee of the Tiki Series III Trust ("Creditor") to Dismiss Case and for Order Barring Debtors from Refiling for 180 Days as docket 17, Objection to Motion to Extend Automatic Stay as docket 20, and the Objection to Confirmation of Chapter 13 Plan as docket 18, and Debtors and Creditor agree as follows:

1. Beginning with the June 2022 regular monthly post-petition mortgage payment, the Debtors must timely make their regular monthly post-petition mortgage payment directly to Creditor, which is due and owing on the first day of every month.
2. If the Creditor does not receive any payments required under Paragraph 1 by the due date, Creditor may issue a Notice of the Default stating the amount of the default and giving the debtor 10 (ten) days to cure the default. The Notice of Default must be filed with the court with a certificate of service on the Debtors and Debtors' lawyer. If the Debtors do not cure the default within 10 (ten) days from the filing date of the Notice of Default, then Creditor may file an Affidavit of Default with a certificate of service on the Debtor and Debtors' lawyer. Upon the filing of the Affidavit of Default by Movant, and without need for further hearing, the Chapter 13 case shall be dismissed upon submission of an Order to the Court, and the Debtors shall be barred from refile any Bankruptcy proceeding for 180 days from the date that the order dismissing the case is entered.
September 30, 2022.
4. The Motion to Dismiss, Objection to Motion to Extend Automatic Stay, and Plan Objection will be withdrawn upon the entry of this Agreed Order.
5. In the event the instant bankruptcy proceeding is converted to Chapter 7, or is otherwise dismissed for any other reason, this Order shall remain in effect.

Enter:



Honorable Jacqueline Cox

United States Bankruptcy Judge

Dated: October 17, 2022